



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District
Upper Snake Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

4100

December 6, 2012

Rock Corral Ranches LLC.
c/o Dwight Baker
266 West Bridge
Blackfoot, ID 83221

NOTICE OF FIELD MANAGER'S PROPOSED DECISION

Dear Mr. Baker:

Introduction

You were previously notified that we would be initiating an analysis process on an allotment basis to determine the environmental impacts of livestock grazing. An environmental assessment (EA) pursuant to the National Environmental Policy Act has been completed to determine if reissuance of your grazing permit will continue to provide a reasonable balance among competing resource values. Your allotment was analyzed in DOI-BLM-ID-I010-2012-0051-EA (copy attached). This grazing decision will renew your permit for ten years.

Background

The Rock Corral Allotment was evaluated in 2011 to assess whether the allotment was meeting requirements of the Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management (ISRH). An Evaluation Report of Achieving Idaho Standards for Rangeland Health and Conformance with Guidelines for livestock grazing management was issued for the Rock Corral Allotment in December of 2011. The report found that Standards 1 and 5 are being met in the allotment. Standards 4 and 8 are not being met but are making significant progress toward meeting the standards. Livestock management practices within the Rock Corral Allotment conform to all applicable Idaho Guidelines for Livestock Grazing Management. Standards 2, 3, 6, and 7 are not applicable to the allotment.

Proposed Decision

Rock Corral Allotment

After careful consideration, it is my Proposed Decision to implement Alternative B of the attached environmental assessment DOI-BLM-ID-I010-2012-0051-EA. A ten-year grazing permit will be issued from April 1, 2013 to March 29, 2023, with terms and conditions for Rock Corral Allotment to Rock Corral Ranches, LLC. (operator number 1101702), as described below.

While the grazing permit will be renewed for a term of ten years, should information collected subsequent to any renewal indicate that changes in management are needed to ensure the allotment is continuing to meet or make significant progress toward meeting Standards and conforming to Guidelines, the permit may be modified at any time during the ten-year period.

Authorized Use Change:

1. Change of the spring season of use from 4/15 – 7/7 to 4/1 – 7/7. The permittees would be authorized to graze 84 days within the 98 day season of use. The fifteen day extension would allow for flexibility to adjust grazing in light of range and pasture readiness. The total number of spring AUMs authorized in the Rock Corral Allotment would not change.
2. Change of the fall season of use from 10/15 – 12/15 to 10/15 – 12/30. The total number of fall AUMs authorized in the Rock Corral Allotment would not change.

Projects (EA Figure 3):

3. Drill a well north of Rock Corral Butte.
4. Construct two separate pipelines in the Rock Corral Allotment totaling ~22 miles. The first pipeline would originate from new well described above and run ~ 9 miles. There would be two troughs in the East Pasture and three troughs in the West Pasture. The second pipeline would originate from a private well located in the southeast corner of the South Sterling Pasture and run approximately 13 miles. The pipeline would consist of two trough sets in the North Sterling Pasture and four trough sets in the South Sterling Pasture. The pipeline would be buried. The area of disturbance would be no greater than twenty acres. The project area would be reseeded with native species after the project is complete. All of the trough sets would be placed at existing waterhaul locations and the pipeline would be installed adjacent to existing roads.
5. Construction of the projects described above would not be authorized between March 1 and June 30 so as to not disturb nesting bird species in the area.

Grazing Plan:

6. Modify existing four pasture grazing rotation.

7. Alternative B Grazing Plan

<u>Year</u>	<u>4/1 – 5/19</u>	<u>5/20 – 7/7</u>	<u>10/15 – 12/30</u>	<u>Rest</u>
2013	West	East	Sterling North	Sterling South
2014	Sterling North	Sterling South	East	West
2015	East	West	Sterling South	Sterling North
2016	Sterling South	Sterling North	West	East

*Rotation repeated after 2017

8. Upon prior approval from the Upper Snake Field Office, the permittee may be authorized to run more livestock for a shorter period of time within the authorized season of use and authorized AUMs.

Mandatory Terms and Conditions

9. Permit:

<u>Allotment Name</u>	<u>Lvstk#</u>	<u>Lvstk Kind</u>	<u>Begin</u>	<u>End</u>	<u>%PL*</u>	<u>Type of Use</u>	<u>AUMs**</u>
Rock Corral	300	Cattle	4/1	7/7	100%	Active	967
Rock Corral	150	Cattle	10/15	12/30	100%	Active	379

<u>Active AUMs</u>	<u>Suspended AUMs</u>	<u>Grazing Preference</u>
1,346	0	1,346

Other Terms and Conditions for Rock Corral Allotment:

10. Range improvements must be maintained to BLM standards by the turnout dates for each allotment on this permit. All livestock water troughs must have a functional wildlife escape ramp and be appropriately floated. Installation and maintenance of wildlife escape ramps are the responsibility of the permittee.

11. In connection with allotment operations under this authorization, if any human remains, cultural, archaeological, historical, paleontological, or scientific objects and sites are discovered, the permittee shall stop operations in the immediate area of the discovery, protect such resources, and immediately notify the BLM Authorized Officer (AO) of the discovery. The immediate area of the discovery must be protected until the operator is notified to resume operations by the AO.

Rationale

This decision is based on the findings of the interdisciplinary team on the available monitoring data, allotment evaluation, consultation, and EA # DOI-BLM-ID-I010-2012-0051-EA.

Implementation of the actions described above, including the permit terms and conditions will help ensure that the allotment continues to meet or make significant progress toward meeting all applicable standards within the allotment.

The decision for the Big Desert Sheep Allotment is in conformance with the Greater Sage-Grouse Interim Management Policies and Procedures Instruction Memorandum (IM-2012-043).

The assessment indicates that Alternative B would continue to meet Standards 1 and 5, and make significant progress toward meeting Standards 4 and 8. Under Alternative B, the permittees would be authorized to graze 84 days within a 98 day spring season of use. The fall/winter season would be extended by fifteen days. Lengthening the seasons of use in the spring and fall/winter would allow for flexibility to implement adaptive management in the Rock Corral Allotment. This would allow the permittees the ability to adjust spring grazing in light of range and pasture readiness annually upon request and approval of the BLM. The fifteen day extension in the fall/winter season would occur when the majority of the native plants are dormant. The number of authorized AUMs in the Rock Corral Allotment would remain the same as the current authorizations. The current grazing rotation would be slightly different than the rotation described under Alternative A. Under the proposed grazing rotation, each of the four pastures would receive yearlong rest every four years. In addition to one pasture receiving full season rest each year, a second pasture would receive growing season deferment on an annual basis. The combination of the complete rest of the one pasture each year and the deferment of the another pasture would provide preferred plants or areas the opportunity to maintain or gain vigor after grazing. Impacts to wildlife and migratory birds would be increased potential to disturb or displace animal and bird species earlier in the spring and later in the fall due to the extended grazing seasons. Constructing the two pipelines would provide a reliable water source in all four pastures. Deferment on native plants within each pasture would be established annually by deciding the timing of water in each of the troughs in the pastures. Impacts to vegetation would be minimal around the troughs and the new well. Utilization near the projects would be utilized heavier with declining use levels as distance from water increased. The pipeline would be installed adjacent to existing roads within the allotment. This would ensure that the amount of ground disturbance associated with the construction of the pipeline would lie within the footprint of the existing road system in the Rock Corral Allotment. The pipeline would be adjacent to roads; following the natural line and form of the landscape. Impacts to sage-grouse from drilling a well and laying twenty-two miles of pipeline would be minimal as construction activities would occur outside important lekking and nesting seasons and disturbed habitats would be seeded with native forbs and grasses. Indirect impacts may occur as the storage tank would provide perching habitat for raptors potentially improving their ability to prey on sage-grouse. However, daily multiple water hauling activities would no longer take place reducing disturbance to lekking and nesting sage-grouse. The proposed pipeline and troughs conforms to the Greater Sage-grouse Interim Management Policies and Procedures Memo (IM-2012-043). The pipeline and troughs would be installed adjacent to existing roads

and the water troughs would be placed at existing waterhaul locations. All of the existing troughs would have escape ramps and floats installed. The proposed pipeline would result in additional cost for implementation. In the short term, the installation of the pipeline would greatly increase the social and economic impact to the permittee, but in the long term, the impact would greatly diminish because of the increased cost of water haul trucks, vehicle maintenance, and high fuel costs.

Authority

The authority under which this decision is made is found within the following 43 CFR citations:

- 4110.2-2 - Specifying permitted use
- 4110.3 - Changes in permitted use
- 4130.2 - Grazing permits or leases
- 4130.3 - Terms and conditions
- 4130.3-1 - Mandatory terms and conditions
- 4130.3-2 - Other terms and conditions
- 4130.3-3 - Modification of permits or leases
- 4180 - Fundamentals of Rangeland Health and S&G for Grazing Administration

Appeal Procedures

Any applicant, permittee, lessee or other interested publics may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to me at the address shown above within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 4160.4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The person/party must also serve a copy of the appeal on the office of the Solicitor, Boise Field Solicitors Office, University Plaza, 960 Broadway Avenue, Suite 400, Boise, ID 83706 and person(s) named [43 CFR 4.421(h)] in the Copies sent to: section of this decision.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.471. Any person named in the decision that receives a copy of a petition for a stay and/or an appeal see 43 CFR 4.472(b) for procedures to follow if you wish to respond.

If you have any questions, feel free to contact either Scott Minnie or myself at 524-7500.

Sincerely,

Jeremy Casterson
Field Manager
Upper Snake Field Office

Enclosure: DOI-BLM-ID-I010-2012-0051-EA

Copies sent to:

Idaho Department of Agriculture, 2270 Old Penitentiary Road, Boise, ID 83707
Idaho Department of Fish and Game, 4279 Commerce Circle, Idaho Falls, ID 83401
Northwest Band of the Shoshone Nation, Building 82 E. Agency Rd., Fort Hall, ID 83203
Chairman, Land Use, Shoshone-Bannock Tribes, Building 82 E. Agency Rd., Fort Hall, ID 83203
Chairman, Tribal Business, Shoshone-Bannock Tribes, Building 82 E. Agency Rd., Fort Hall, ID 83203
Western Watersheds Project, 126 Main, St. B2, Hailey, ID 83333
US Fish and Wildlife Service, Eastern Idaho Field Office, 4425 Burley Drive, Suite A
Chubbuck, ID 83202